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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,281	07/08/2003	Weidong Wang	M1103.70275US00	8227
45840 7590 03/09/2007 WOLF GREENFIELD (Microsoft Corporation) C/O WOLF, GREENFIELD & SACKS, P.C. FEDERAL RESERVE PLAZA 600 ATLANTIC AVENUE BOSTON, MA 02210-2206			EXAMINER HAMZA, FARUK	
			ART UNIT 2155	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/615,281

Applicant(s)

WANG ET AL.

Examiner

Faruk Hamza

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the application filed on July 08, 2003. Claims 1-24 are pending.

Claim Objections

2. Claim 11 is objected to because of the following informalities: Because it has improper dependency. Appropriate correction is required.

Specification

3. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 23 and 24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 23 recites "a computer program product comprising a computer usable medium..." Computer usable medium in applicant's specification is not limited to tangible medium.

Claim 24 is directed to a data signal embodied in a carrier wave. A signal does not fall within one of the four statutory classes of § 101. Carrier wave is not tangible and does not belong to one of the statutory categories. See MPEP 2106.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 2, 3 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "selected data and services" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the location" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the same protocol" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-10, 12-21 and 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Leymann et al. (U.S. Patent Number 6,681,251) hereinafter referred as Leymann.

Leymann teaches the invention as claimed including a method comprises an application client sends an application request to a request queue of a dispatcher. The dispatcher extracts an application request from said request queue and selects a certain one of the application server to which the extracted application request is to be sent based on a table (See abstract).

As to claim 1, Leymann teaches a method for providing access over a network to data and services available within a collaborative computer system in

response to a request message from a non-collaborative client, the request containing information identifying the non-collaborative client and the method comprising:

- a) receiving the request message in a server connected to the non-collaborative client, extracting from the request message the information identifying the non-collaborative client and modifying the request message by replacing the information identifying the non-collaborative client with information identifying a queue in the server (abstract, Column 6, lines 14-Column 7, lines 15, Leymann discloses receiving message from client (non-collaborative client) and modifying it);
- b) sending the modified request message to a collaborative client in the collaborative computer system via the network, wherein the collaborative client provides a response message containing the data and services requested (abstract, Column 6, lines 14-Column 7, lines 15, Leymann discloses sending modified message to collaborative client (application servers));
- c) sending the response message to the server queue identified in the modified request message (abstract, Column 6, lines 14-Column 7, lines 15, Leymann discloses sending response message), and
- d) using the information in the server identifying the non-collaborative client to forward the response message from the server queue to the

non-collaborative client (abstract, Column 6, lines 14-Column 7, lines 15, Leymann discloses forwarding response message to client).

As to claim 2, Leymann teaches the method of claim 1 further comprising:

(e) the collaborative client publishing a convenient name associated with selected data and services available in the collaborative computer system before step (a) is performed (Column 5, lines 7-53).

As to claim 3, Leymann teaches the method of claim 2 wherein the request message includes the convenient name and step (a) comprises:

(a1) extracting from the request message the convenient name (Column 6, lines 14-Column 7, lines 15); and

(a2) using the convenient name to retrieve information identifying the location of the collaborative client that can provide the selected data and services (Column 6, lines 14-Column 7, lines 15).

As to claim 4, Leymann teaches the method of claim 1 wherein step (b) comprises:

(b1) sending the modified request message directly to the collaborative client when the collaborative client is connected to the network (Column 6, lines 14-Column 7, lines 15); and

(b2) sending the modified request message to a relay server when the collaborative client is not connected to the network (Column 6, lines 14-Column 7, lines 15).

As to claim 5, Leymann teaches the method of claim 4 wherein the server is part of the relay server that connects the non-collaborative client to the network (Fig.2).

As to claim 6, Leymann teaches the method of claim 1 wherein the server waits on the server queue after step (b) and wherein step (d) further comprises:

(d1) forwarding the response message from the server queue to the non-collaborative client when the response message is received in the server queue (Column 6, lines 14-Column 7, lines 15).

As to claim 7, Leymann teaches the method of claim 1 wherein the server does not wait for a response in step (b) and wherein step (d) is performed in response to a method call by the non-collaborative client (Column 6, lines 14-Column 7, lines 15).

As to claim 8, Leymann teaches the method of claim 7 wherein the request message contains a unique request identifier and wherein the response message returns the unique request identifier to the non-collaborative client and the non-collaborative client compares the request identifier sent in the request message with the request identifier in the response message to determine if the response is associated with the request (Column 6, lines 14-Column 7, lines 15).

As to claim 9, Leymann teaches the method of claim 1 further comprising:

(e) subscribing to an event service at the collaborative client indicating a request for notification of selected actions in the collaborative system (Column 6, lines 14-Column 7, lines 15); and

(f) the collaborative client placing event messages in the server queue when a selected action occurs (Column 6, lines 14-Column 7, lines 15).

As to claim 10, Leymann teaches the method of claim 1 wherein the request and the response messages have the same protocol (Column 6, lines 14-Column 7, lines 15).

Claims 12-21 and 23-24 do not teach or define any new limitations other than above claims 1-10. Therefore rejected for similar reasons.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 11 and 22 rejected under 35 U.S.C. 103(a) as being unpatentable over Leymann as applied above, and further in view of Official Notice.

Leymann teaches the invention substantially as claimed including a method comprises an application client sends an application request to a request queue of a dispatcher. The dispatcher extracts an application request from said request queue and selects a certain one of the application server to which the extracted application request is to be sent based on a table (See abstract).

As to claim 11, Leymann teaches the method of claim 10.

Leymann does not explicitly teach claim limitation of Simple Object Access Protocol.

However, "Official Notice" is taken that the concept and advantages of

Art Unit: 2155

Simple Object Access Protocol is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Leymann by adding Simple Object Access Protocol, which would provide decentralized exchange of information in distributed environment. One would be motivated to do so to enhance the system's communication platform.

Claim 22 does not teach or define any new limitation other than above claim 11.

8. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2155

- Johnson et al. (U.S. Pub. No. 2003/0023679) discloses system for network collaboration through embedded annotation and rendering instructions.
- Gutfreund et al. (U.S. Patent Number 6,192,394) discloses inter-program synchronous communication using a collaboration software system.
- Wies et al. (U.S. Patent Number 7,159,008) discloses chat interface with HAPTIC feedback functionality.
- McMullan et al. (U.S. Patent Number 7,028,051) discloses method for real-time business collaboration.
- Bucher (U.S. Patent Number 6,928,476) discloses peer to peer remote data storage and collaboration.
- Kavak (U.S. Patent Number 6,687,731) discloses arrangement for load sharing in computer networks.
- Paul et al. (U.S. Patent Number 6,314,465) discloses method for load sharing on a wide area network.
- Hekmatpour (U.S. Patent Number 6,968,346) discloses method for collaborative web-based design.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

Art Unit: 2155


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER